

## **REMARKS**

### **1. Status of Claims**

Claims 1-10 were pending in the Application. Applicants have amended claims 1, 3, and 6-10 without prejudice or disclaimer. Applicants have added new claims 11-20. Applicants respectfully request entry of the above amendments and consideration of the enclosed remarks. Applicants submit that no new matter is added. Accordingly, claims 1-20 will remain pending in the application.

### **2. Double Patenting**

In section 1 of the Office Action, the Examiner provisionally rejected Claims 1-10 under the nonstatutory ground of obviousness-type double patenting as allegedly unpatentable over copending application 10/249615. Applicants traverse and respectfully submit that since claim 1 has been amended, the rejection is moot.

### **3. Rejections under 35 USC § 102(e)**

In section 3 of the Office Action, the Examiner rejected Claims 1-10 under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 6,952,680 to Melby, et al. ("Melby '680").

Applicants respectfully traverse the rejection. However, in order to expedite prosecution, Applicants have amended independent claim 1 and dependent claims 3 and 6-10 without prejudice or disclaimer and thus the rejection is moot.

For example, the cited references do not teach or suggest at least:

obtaining asset physical placement data associated with the plurality of assets over the plurality of periods;

determining suggested alternate asset physical placement data using the asset usage data and the asset physical placement data; and

providing the suggested alternate asset physical placement data.

Dependent claims 2-10 are patentable over the cited references for at least the same reason.

Accordingly, Applicants respectfully submit that the claims as amended are patentable over the cited references and respectfully request that the Examiner withdraw the rejection.

**4. New Claims**

Applicants have added new claims 11-20 and respectfully submit that the new claims are in condition for allowance.

Accordingly, Applicants respectfully submit that the invention as presently claimed in claims 1-20 is patentable and in condition for allowance.

**5. Conclusion Of Remarks**

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

**6. Authorization**

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-682-O1.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or

credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit  
Account Number 16-1885, Order No. F-682-O1.

Respectfully submitted,

/George M. Macdonald/

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